

### REMARKS

Claims 1, 3-9, 11-17, and 19-24 are pending in this application, and have been amended to define still more clearly what Applicant regards as his invention. Claims 2, 10 and 18 have been canceled, without prejudice or disclaimer of subject matter. Claims 1, 9, and 17 are in independent form.

An Information Disclosure Statement and a corresponding Form PTO-1449 were filed on March 3, 2003. Although paragraph 1 of the Office Action acknowledges this Information Disclosure Statement, the Examiner apparently did not return an initialed copy of the corresponding Form PTO-1449, indicating the references cited thereon were considered. Applicant respectfully requests the Examiner to return an initialed copy of the corresponding Form PTO-1449.

Claims 1, 2, 4, 9, 10, 12, 17, 18, and 20 were objected to because of the informalities noted at paragraphs 6 and 7 of the Office Action. Applicants have corrected these informalities accordingly, and withdrawal of the objection is respectfully requested.

Claims 1-6 were rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Although Applicant does not concede the propriety of the rejections, in an effort to advance the examination of this application Applicant has amended Claim 1 in accordance with the suggestion in the Office Action. Accordingly, withdrawal of the rejection of Claims 1-6 under Section 101 is respectfully requested.

Claims 1, 2, 4-7, 9, 10, 12-15, 17, 18 and 20-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,558,431 (Lynch et al.). Claims 3, 11, and 19 were rejected under 35 U.S.C. § 103(a) as being obvious from Lynch et al. in view of

U.S. Patent 6,035,326 (Miles et al.); and Claims 8, 16, and 24, as being obvious from Lynch et al.

Claim 1 is directed to a method of restructuring an input HTML document to comply with strict HTML. The method includes the step of (a) linearly traversing the input HTML document to create a hierarchical tree structure representation, the traversal maintaining a current insertion point for elements within the tree structure representation. The method further includes the step of (b) during the traversal, identifying elements of the input HTML document that violate strict HTML, and, for each identified element: (b)(i) retracing the tree structure representation from the current insertion point to identify a further insertion point from which the identified element can depend, the retracing comprising noting each parent element of the identified element passed during the retracing, (b)(ii) at the further insertion point, creating new elements in the tree structure representation corresponding to the parent elements passed during the retracing, the new elements being created in reverse chronological order to that encountered during the retracing, and (b)(iii) appending the identified element to a terminal one of the new elements by creating a link from the appended identified element to a first parent element encountered during the retracing. The method further comprises the step of (c) converting the tree structure representation into an output HTML document.

An important feature of Claim 1 is that the identified element is appended to a terminal one of the new elements by creating a link from the appended identified element to a first parent element encountered during the retracing. In this way, Claim 1 recites a

link back feature which is used for appending the identified element to a terminal element (i.e., an original node). See, for example, page 14, lines 13-20, of the specification.<sup>1</sup>

Lynch et al., as understood by Applicant, relates to an inventive editor which allows web authors to edit HTML visually while preserving the HTML source document. The editor preserves the structure and format of the HTML, and permits simultaneous modeless visual and source document editing. When an edit is made, only the HTML source around that edit is updated, rather than a rewriting of the whole HTML source document. Furthermore, when an edit is made, the new HTML source code is outputted in a format that is specified by the user. In order to preserve the format of the document, format information is stored in the parsed tree. The format of the node is preserved when its source is regenerated; edits to the node will reformat it according to user preferences. In order to preserve the structure of the document, invalid HTML structures are maintained and not corrected. The system will either support the invalid structure by reflecting such structure in the parsed tree, and thus allow for editing of the structure, or it will not support such a structure, and represent such structures as invalid nodes. Moreover, the system also maintains structure while editing, as the structure and format of the document is only minimally modified during editing, i.e., only the nodes affected by the edits are restructured and reformatted, and the remainder of the document is unmodified. (See the Abstract.)

The Office Action cites, among other portions, Figs. 2, 3, 4A, and 5 of Lynch et al.; in particular, those figures are alleged by the Examiner to disclose “creating a

---

<sup>1</sup>It is of course to be understood that the references to various portions of the present application are by way of illustration and example only, and that the claims are not limited by the details shown in the portions referred to.

link from said appended identified element to a first said parent element encountered during said retracing” (see, e.g., page 5 of the Office Action). The description of those figures, from column 1, line 52, to column 2, line 46, of Lynch et al. (that portion also being cited at, e.g., page 4 the Office Action) is silent of any need to create a link to thereby append the identified element to the first parent element encountered during the retracing. As clearly stated in Lynch et al., specifically at column 1, lines 60-61, “the editor does not track the format of the tags by the author.” Notably, Lynch et al. is silent of any need to retrace back to the first parent element of the identified element.

Applicant has found nothing in Lynch et al. that would teach or suggest “appending the identified element to a terminal one of the new elements by creating a link from the appended identified element to a first parent element encountered during the retracing”, as recited in Claim 1.

Accordingly, Applicant submits that Claim 1 is clearly allowable over Lynch et al.


Independent Claims 9 and 17 are apparatus and computer readable medium claims, respectively, corresponding to method Claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing remarks, it is believed that the entire application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Lock See Yu-Jahnes  
Attorney for Applicant  
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 435185v1